Present: Pat Kerfoot, Chair, Charlotte Harris, Vice Chair, Paul Dreyer, Clerk/Secretary, Jim Fox, John Druley, Pamela Harting-Barrat, Robert Leary
Also Present: Tom Bott, Town Planner; Michaela Shoemaker, Community Development Planner
Chairwoman Pat Kerfoot called the meeting to order at 6:30 pm.

In accordance with the Governor’s Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, the January 26, 2021 public meeting of the Falmouth Planning Board shall be physically closed to the public to avoid group congregation.

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Falmouth Community Television.
2. Real-time public comment can be addressed to the Planning Board utilizing the Zoom virtual meeting software for remote access. This application will allow users to view the meeting and send a comment or question to the Chair via the Chat function. Submitted text comments will be read into the record at the appropriate points in the meeting.
   a. Zoom Login instructions:
      i. Instructions and the meeting link for this specific meeting can be found at the following web address: http://www.falmouthma.gov/Planning
      ii. Please plan on 10-15 minutes of preparation time to log in though it may be less if you have previously used Zoom on the device you will use to access this meeting.
3. Additionally, public comments may be sent in advance of the meeting to planning@falmouthma.gov at least 5 hours prior to the beginning of the meeting. Documents and audio or video files may also be submitted via email. Submitted email comments and documents will be made a part of the meeting record and may be read into the record, summarized or displayed during the meeting at the discretion of the chair.
4. Applicants, their representatives and individuals with enforcement matters before the Planning Board may appear remotely and are not required to be physically present. Applicants, their representatives and individuals with enforcement matters before the Planning Board may contact the Planning Department to arrange an alternative means of real time participation if unable to use the Zoom virtual meeting software. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to the planning@falmouthma.gov so that they may be displayed for remote public access viewing.

MINUTES: January 26, 2021

Postponed.

APPROVAL NOT REQUIRED:

Applicant: Philip Rabesa – Plan of land to divide one parcel into three lots located at 46 Sandwich Road
T.Bott – This is a public way on Sandwich Road. All the lots have frontage on a public way.

MOTION by R.Leary/P.Harting-Barrat that the Planning Board vote to endorse “Approval under the Subdivision Control Law not required”. The plan does not depict a subdivision by definition. This endorsement is without regard to zoning or buildability and should not be construed as an approval that the lots shown are entitled to a building permit.

Voted 7-0-0
PLANNING BOARD DECISION:

**Applicant:** Sun Elite, LLC – Special Permit application to extend a Special Permit Decision issued December 8, 2004, to Albert Shamsi, Trustee, as extended by Decision issued January 23, 2019, which allowed a density bonus of two (2) lots (Lots 9 and 10) on Pam’s Way, for an additional three (3) years commencing January 23, 2021.

Board Members discussed abutter correspondence letters.

T.Bott – We are not discussing the merits of the development at this point, just extending the time to execute the original special permit decision.

Michaela Shoemaker – Mr. Kramer’s letter explains health risks from the septic system serving Sunrise Estates which will increase if the Board extends the special permit; adding two more homes and increasing contamination and the nitrogen load to Bourne’s Pond.

Attorney Bob Ament – Mr. Kramer’s letter is speculative and unsubstantiated. You have a letter from Holmes & McGrath that says the system is properly operating, it has been repaired and the system will operate better and will accommodate additional flows. The system is being properly maintained.

P.Dreyer suggested extending the permit for only two years.

J.Druley preferred three years but not beyond.

P.Kerfoot – Absolutely no more extensions.

**MOTION** by R.Leary/P.Harting-Barrat that the Planning Board was unable to modify or apply the repealed provision of the zoning bylaw Section 240-138 requested in the Application of Falmouth Housing Trust to modify a Special Permit Decision issued December 8, 2004 to Albert Shamsi, Trustee. The Planning Board however is granting a two-year extension from a two-year extension filed January 23, 2019, from the filing of the original decision, for an extension of Condition #1 of the December 2004 Special Permit for a density bonus under the conditions described in the original decision

**FINDINGS:**

(1) By its terms condition #1 expired 3 years from the date of endorsement of the plan and the previous extension expired two years from the date of endorsement. The lots were never developed and the condition expired in 2007 or 2008.

(2) The zoning bylaw contained s. 240-138 which allowed the payment of a fee for greater density and bonus lots was repealed in 2010 and no longer exists.

**Special Permit Findings**

Section 240-138 has been repealed and deleted from the bylaw and it is no longer within the authority of the Planning Board to apply it to new subdivision plans or modify conditions of previously approved subdivision plans

**MOTION** by R.Leary/P.Harting-Barrat to extend the Special Permit Condition #1 for two years.

**VOTE:** 7-0-0

**Applicant:** Sandwich Road Development, LLC – Special Permit application along with a Site Plan Review application to have a contractor’s yard in the AGA District, including a contractor’s yard building with floor area of 7,450 SF and exterior contractor’s yard storage, parking and assembly area of 39,900 SF, and one detached single family dwelling located at 0 Sandwich Rd (Map# 17 01 032 000)
**MOTION** by R.Leary/P.Harting-Barrat that the Planning Board vote to approve the application of Sandwich Road Development, LLC, under Article XXXIX (39) – Site Plan Review and GRANT a Special Permit pursuant to section 240-38 (K) of the Zoning Bylaw to a Site Plan Review construct a one-story 50'x149'x23'x8 ½' high steel building for a contractor’s yard as well as a single family residence located at 0 Sandwich Road, also shown on Assessors Map 17, Section 01, Parcel 032, lot 000 as depicted on the plan entitled “Site Plan – Contractor’s Yard & House and Subsurface Sewage Disposal Systems prepared for Sandwich Road Development LLC Sandwich Road Hatchville, Falmouth, Massachusetts” (sheets 1-6), prepared by BSS Designs, dated November 10, 2020 (sheet 2 with latest revision date January 20, 2021, sheet 3 with latest revision date January 6, 2021, and sheet 6 with latest revision date of January 20, 2021) with scales, as well as drainage calculations with letter submitted by BSS Design, sight distance plans and material building details for the proposed storage building with the following:

**FINDINGS:**

The applicant, Sandwich Road LLC, is applying to the Planning Board for Site Plan Review under Section 240-191 and a Special Permit under Section 240-38(K) for the construction of one proposed steel storage building and one single family residence. The proposed building will be a 50’x149’x23’x 23.8’ high steel storage building with 8 overhead doors that will be used for a contractor’s yard. The parcel is located in the Agricultural A (AGA) zone. The lot coverage by structure is 3.73% and 20% is allowed, coverage by structure, paving and parking is 19.98% and 40% is allowed. The applicant has divided the 7.996 acre parcel to comply with section 240-38.K.4 – Contractor’s yards cannot be located within 300 feet of a Single Residence District or a dwelling existing or construction commencing as of 4/1/2000. The applicant has created Lot 1 containing 5.569 acres and Parcel A containing 2.403 acres which is not a buildable lot. The applicant will disturb 1,854 SF in the Water Resource Protection District for a 272 SF gravel driveway and vegetated shoulder. The applicant is requesting the height of the building be 23’ 8 ½” which is allowed per the Falmouth Zoning Bylaws section 240-70.A which states for agricultural uses only, structures within Agricultural Districts may have a maximum height of 50 feet as measured from the base of the structure to the highest point.

The applicant is not being required to install an I/A system at the discretion of the Planning Board. The applicant has stated that the total proposed development on the 7.966 acres Lot 32 is to be only one-4 bedroom house and the contractor’s yard building, with total Tile 5 design wastewater flow of 840GPD. The proposed wastewater flow is only 105.45 GPD per acre, less design flow than for two-4 bedroom houses.

A special permit granting authority shall grant a special permit only upon its written determination that the proposed use will not have adverse effects which overbalance its beneficial effects on either the neighborhood or the Town, in view of the particular characteristics of the site.

**FINDINGS Specific to § 240-38K of the Zoning Bylaw:**

(1) The locus resides in an Agricultural A (AGA) zoning district having 7.966 total acres and will be 5.569 acres after dividing the property, which satisfies the three-acre minimum.

(2) The above referenced plan shows the proposed structure is 89.5’ and the contractor yard building will be 283’ from Sandwich Road which satisfied the minimum setbacks. The Planning Board finds these setbacks adequate to provide sufficient screening and buffer from the street or adjacent properties.

(3) No contractor’s yard shall be permitted in a Water Resource Protection District and the locus is not within said resource district. The applicant will only be disturbing 1,854 square feet of the Water Resource Protection District portion of the property for a 272 square foot gravel driveway and vegetated shoulder.

(4) The area set aside for contractor’s yard cannot be located within 300 feet of a Single Residence District nor within 300 feet of a dwelling existing or for which construction had commenced as of April 1, 2000. The above referenced plan shows compliance with these requirements.

(5) No contractor’s yard shall be permitted unless the Planning Board shall determine that operation of the contractor’s yard, including traffic between the contractor’s yard and arterial roadways such as Route 28...
or Route 151 Thomas B. Landers Road, Sandwich Road, Old Barnstable Road or Blacksmith Shop Road, will have no adverse impact on a neighborhood predominantly residential in character, and that the construction, width and grades of the adjacent street and any other street providing access between the contractor's yard and any arterial roadway shall be sufficient for safe travel to and from the site by the vehicles to be stored. The Planning Board finds the proposed contractor's yard is located on Sandwich Road, an "arterial roadway". The proposed contractor's yard activity will be approximately 275’ feet from the property line of a future house lot. Proposed Parcel A will allow buffering from houses to the East. There will be no adverse impact on a neighborhood predominantly residential in character (or otherwise). The BSS Design plan set includes a Sight Distance Exhibit showing that the sight distances from the proposed driveway substantially exceed safety design standards. 

(6) The Planning Board shall specify hours of operation, the type and number of vehicles, equipment or supplies to be stored, what fabrication of subassemblies shall be allowed, if any, and what accessory activities, such as ordinary maintenance and minor repairs, shall be allowed. No activity such as major repair work, painting or engine cleaning shall be allowed. The Planning Board will condition this Special Permit accordingly.

THEREFORE, given the above and the conditions to be imposed below, the Planning Board finds the application for Site Plan and Special Permit proposal to construct one 50' x 149' x 23'-8½” prefab building for agricultural storage will be in harmony with the general purpose and intent of this chapter and that the proposal will not have adverse effects which overbalance its beneficial effects on either the neighborhood or the Town.

CONDITIONS

1. The plan shall be constructed as approved. Any changes shall be reviewed by the Planning board to determine if a modification of this decision is necessary. Pursuant to 240-183.B of the Zoning Bylaw, no permit for occupancy of the new construction shall be issued until the Planning board is satisfied that the conditions of this approval have been met.
2. The Applicant shall obtain an approved Driveway Permit and post any required bond with the Engineering Division prior to start of construction.
3. The Applicant shall complete the work as approved by the Engineering Division in the Driveway Permit and shall be required to adhere to the Soil Erosion & sediment Control Standards document which is available on the Engineering Division’s webpage.
4. Upon completion of construction, the Applicant shall post the address for this residence per §99-1 Affixing of legible numbers required; time limit for compliance.
5. The regular (non-emergency) hours of operation shall be 6:00 a.m. to 7:30 p.m., Monday through Saturday for contractor's yard activities.
6. The vehicles, equipment and supplies that may be stored outside include up to dump trucks (up to 76,000 lbs. registered weight capacity), registered trailers (up to 20,000 lbs. registered weight capacity), excavators, tractors, "bob cats," and similar equipment and assorted attachments such as plows. Other contractor vehicles, such as vans, pickup and utility trucks, up to 25 such vehicles, may be stored in the contractor's yard.
7. Construction materials such as stone, blocks, bricks and steel framing will be stored on site. Other construction equipment, tools, building supplies, appliances and fixtures held for installation, and other components will be stored, generally within the main contractor's yard building. These items may include lumber, windows, roofing and installation materials, etc.
8. There will be sub-assembling of building components such as wall sections and cabinetry.
9. There will likely be within the main contractor's yard building small office area(s) for the contractor's yard operator and subcontractor tenants.
10. Ordinary maintenance and minor repairs of the vehicles and equipment would occur, such as exterior washing and oil changes.
11. Lighting and lighting glare will be kept on the property and not reflect adversely onto other properties.
12. The applicant shall add buffering to the wooded area where the trees appear to be sparse.
13. All site construction within the project shall conform fully to the above referenced and approved site plan. Any change in the location of structures or any other site features such as cutting into the buffer shall require prior written approval of the Planning Board.
P.Dreyer – We had a discussion on the use of the housing on site. That is not included in the motion.
T.Bott – Attorney Ament said the house will comply with a family per the Zoning Bylaw of the Town of Falmouth.
R.Leary – I don’t think we should condition the occupancy.
C.Harris – We shouldn’t have to say the bylaws this comports to. We should have clear, simple motion with exceptional findings.
P.Dreyer – I think the sub-assembly operations should be inside the building.
P.Kerfoot – We can add that to the end of number eight.

**MOTION** by R.Leary/J.Fox to add the words “within the building” to Condition #8.

**Voted 7-0-0**

**PLANNING BOARD DISCUSSION:**

*Planning Board/Select Board Joint Meeting Discussion*

Board Members discussed desired order of importance of issues.

**ANNOUNCEMENTS:**

None

**GENERAL CORRESPONDENCE:** January 27, 2021 through February 9, 2021

None

**FUTURE AGENDA ITEMS:**

Recap of Joint Meeting Discussion

**NEXT MEETING:**

- February 13, 2021 – Joint meeting with Board of Selectmen
- February 23, 2021 – Zoning Articles for Spring 2021 Town Meeting

Meeting adjourned at 7:49 pm

Respectfully Submitted,

Paul Dreyer, Clerk/Secretary

Sheri Theroux, Recording Secretary
8 February 2021

Planning Board
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540

Subject: Sun Elite LLC Special Permit Extension
Lots 9 and 10, Pam’s Way
Sunrise Estates

Dear Planning Board Members:

My family has a significant history with the Crowell Road area, dating back to the 1940’s. As abutters, we have been intimately involved with the process related to the permitting of Sunrise Estates. Not one meeting has been missed since the initial application was submitted in 2003. With surrounding neighbors, we have consistently advocated for responsible development in an area close to the wetlands of Bourne’s Pond. Reduced lots, open space, inclusion of existing residents in utility service changes, road design related to surfacing and drainage concerns, and the impacts of a central septic system were the specific concerns brought to the Planning Board since the inception of this project.

Throughout the 16 plus years of work conducted in this development, neighbors have struggled with almost every aspect of the concerns put forth before the Planning Board. Our recourse has been to collectively, and sometimes individually, hold the appropriate parties accountable to conditions of their permit. This has taken considerable time and effort, with little resolve for the majority of issues. The bond release was withheld until roadway and sidewalk deficiencies were properly corrected. The Health Department addressed central septic system operating deficiencies following neighbors inquiries related to the closest abutters well’s contamination. However, please note that we and our neighbors have signed an additional objection to the special permit extension provided to the Board by Steven Kraemer, as we feel it still compromises the integrity of our drinking water. Outstanding issues also include aged discontinued electrical utility poles with primary lines that are an ongoing hazard, ongoing road deterioration, and drainage issues onto abutter’s properties by the wetlands. This history is important, as Chairman Kerfoot and Mr. Fox are the only remaining members who approved the initial permit.

It is inappropriate that abutters must police a developer’s obligations. Additionally, the lack of support from the Planning Board when issues arise does not build confidence in the process. The representatives of Sun Elite LLC will assure you that all of our concerns have been addressed, and they are a good advocate for their client. We would implore the board to examine the track record, which indicates otherwise. The neighbors are relying on the Planning Board to represent our concerns. Unfortunately, the take away from the last meeting was that $400,000.00 on the table for affordable housing is the priority. Although an important advance for all, it should not be at a compromise to safe standards and sound practices. There are financial gains for all proponents. Deadlines to obligations were placed in the special permit for a reason. We respectfully request that the Planning Board NOT approve further extension of the Sun Elite LLC Special Permit.

Respectfully,

Scott & Nancy Thrasher
58 Crowell Road, East Falmouth
Feb. 5, 2021, Feb. 5, 2021

To: Town of Falmouth Planning Board

Regarding:

To give Sandwich Rd. Development, LLC, a special permit to have a contractor’s yard located at 0 Sandwich Rd., E. Falmouth, MA 02536

It will be a very sorry day for many neighbors and other residents. (There already is one contractor’s yard next to this location.)

I have lived next to this land parcel for 21 yrs. To allow a second contractor’s yard to be built, will have a very serious negative reaction on the wildlife population that comes from Otis Air Force Base (especially the deer.)

This parcel of land is a very strong connecting point for deer that are hunted in Falmouth’s parcel that goes to the Hayway Rd. Heli Tower, the 2 State parcels (Rte 151 South and North), and MA Audubon parcel next to Rte. 151 fairgrounds. Developing this land for a second contractor’s yard will very likely ruin this longtime hunting activity.

This parcel in that village should be kept undeveloped in order to maintain the current hunting allowed, hikers, and birders.

Falmouth rejected a proposal for the current baseball field on Sandwich Rd. by a developer who wished to build a very large senior home building. The baseball field became a very good one.)
Hatchville use of the land instead.
Please, do not allow a second contractor's yard for the use of this important parcel that is very important in connecting these wildlife areas.

It is extremely important that this vacant land be respected, and purchased by the right conservation group to allow the deer, owls, and many other birds to continue to survive in Falmouth, the state, and M. A. Audubon's Conservation lands.

If this 2nd contractor's yard is allowed, I truly believe that history will show how the deer population was lost. Please do not allow this to happen.

Sincerely,
Dorothy Squezi
508-548-9813

P.S.: This is a very hard time for many people. I would deeply appreciate it if this 2nd contractor's yard not be allowed until a fair study and opinion is well done regarding the deer situation. What is proposed for the 2nd contractor's yard is extremely out of order for Hatchville. I am not alone regarding this 2nd contractor's yard at this location. It is not fitting at all to allow it to happen without a fitting study by appropriate persons. Please respect this wish by many of us.
February 9, 2021

Falmouth Planning Board
C/o Thomas Bott, Town Planner
59 Town Hall Square
Falmouth, MA 02540

Re: Pending Request for Extension of “density bonus” Special Permit of Sun Elite LLC for Lots 9 and 10 Pam’s Way

Dear Planners:

This letter is in response to correspondence sent to the Planning Board by John and Nancy Erikson and by Steven Kraemer, concerning the pending extension request. The arguments raised by these abutters are not new.

The Eriksons’ home on Crowell Road is directly behind Lots 9 and 10, though separated by a strip of the Sunrise Estates open space. The Eriksons repeat their misstatement that the developer has not fulfilled his obligation. The developer’s obligation is to pay $200,000.00 per lot for affordable housing, when and if the lots are sold. The developer created the additional lots in good faith, at considerable expense. It has not been possible to sell the lots for an amount sufficient to pay the affordable housing payment and other expenses of sale, even without covering any of the extra expense to create the lots. During the last two years, the developer made considerable effort working with the Falmouth Housing Trust to adjust the terms. Under current, relatively recent conditions, the developer may be able to sell the lots and make the affordable housing payment. Some adjustment may still be necessary. First, the extension is needed.

Steven Kraemer’s letter is speculative, unspecific and unsubstantiated. Submitted herewith is today’s updated letter from Holmes and McGrath (Tim Santos, PE and Luis Coelho, Certified Wastewater Treatment Operator) stating that the system has been regularly inspected, that repairs have been performed as needed, and that the system’s performance has improved; that the additional houses will not adversely affect the shared system, but that, conversely, the addition of flows from the two lots will improve performance of the system, per design.

The State Sanitary Code, Title 5, states at FWR 15.003(1), “Generally, full compliance with the provisions of 310 CMR 15.000 is presumed by the Department (MA DEP) to be protective of the public health, safety, welfare and environment.” The common denitrification septic system conforms to Title 5 and local health regulations.

Very truly yours,

[Signature]

Robert H. Ament
MOTION: That the Planning Board vote to approve the application of Sandwich Road Development, LLC, under Article XXXIX (39) – Site Plan Review and GRANT a Special Permit pursuant to section 240-38 (K) of the Zoning Bylaw to a Site Plan Review construct a one-story 50’x149’x23’x8 ½’ high steel building for a contractor’s yard as well as a single family residence located at 0 Sandwich Road, also shown on Assessors Map 17, Section 01, Parcel 032, lot 000 as depicted on the plan entitled “Site Plan – Contractor’s Yard & House and Subsurface Sewage Disposal Systems prepared for Sandwich Road Development LLC Sandwich Road Hatchville, Falmouth, Massachusetts” (sheets 1-6), prepared by BSS Designs, dated November 10, 2020 (sheet 2 with latest revision date January 20, 2021, sheet 3 with latest revision date January 6, 2021, and sheet 6 with latest revision date of January 20, 2021) with scales, as well as drainage calculations with letter submitted by BSS Design, sight distance plans and material building details for the proposed storage building with the following:

FINDINGS:

The applicant, Sandwich Road LLC, is applying to the Planning Board for Site Plan Review under Section 240-191 and a Special Permit under Section 240-38(K) for the construction of one proposed storage building and one single family residence. The proposed building will be a 50’x149’x23’x8 ½’ high steel storage building with 8 overhead doors that will be used for a contractor’s yard. The parcel is located in the Agricultural A (AGA) zone. The lot coverage by structure is 3.73% and 20% is allowed, coverage by structure, paving and parking is 19.98% and 40% is allowed. The applicant has divided the 7.996 acre parcel to comply with section 240-38.K.4 – Contractor’s yards cannot be located within 300 feet of a Single Residence District or a dwelling existing or construction commencing as of 4/1/2000. The applicant has created Lot 1 containing 5.569 acres and Parcel A containing 2.403 acres which is not a buildable lot. The applicant will disturb 1,854 SF in the Water Resource Protection District for a 272 SF gravel driveway and vegetated shoulder. The applicant is requesting the height of the building be 23’ 8 ½” which is allowed per the Falmouth Zoning Bylaws section 240-70.A. which states for agricultural uses only, structures within Agricultural Districts may have a maximum height of 50 feet as measured from the base of the structure to the highest point.

The applicant is not being required to install an I/A system at the discretion of the Planning Board. The applicant has stated that the total proposed development on the 7.966 acres Lot 32 is to be only one-4 bedroom house and the contractor’s yard building, with total Tile 5 design wastewater flow of 840GPD. The proposed wastewater flow is only 105.45 GPD per acre, less design flow than for two-4 bedroom houses.

A special permit granting authority shall grant a special permit only upon its written determination that the proposed use will not have adverse effects which overbalance its beneficial effects on either the neighborhood or the Town, in view of the particular characteristics of the site.

FINDINGS Specific to § 240-38K of the Zoning Bylaw:

(1) The locus resides in an Agricultural A (AGA) zoning district having 7.966 total acres and will be 5.569 acres after dividing the property, which satisfies the three acre minimum.
(2) The above referenced plan shows the proposed structure is 89.5’ and the contractor yard building will be 283’ from Sandwich Road which satisfied the minimum setbacks. The Planning Board finds these setbacks adequate to provide sufficient screening and buffer from the street or adjacent properties.

(3) No contractor’s yard shall be permitted in a Water Resource Protection District and the locus is not within said resource district. The applicant will only be disturbing 1,854 square feet of the Water Resource Protection District portion of the property for a 272 square foot gravel driveway and vegetated shoulder.

(4) The area set aside for contractor’s yard cannot be located within 300 feet of a Single Residence District nor within 300 feet of a dwelling existing or for which construction had commenced as of April 1, 2000. The above referenced plan shows compliance with these requirements.

(5) No contractor's yard shall be permitted unless the Planning Board shall determine that operation of the contractor's yard, including traffic between the contractor's yard and arterial roadways such as Route 28 or Route 151 Thomas B. Landers Road, Sandwich Road, Old Barnstable Road or Blacksmith Shop Road, will have no adverse impact on a neighborhood predominantly residential in character, and that the construction, width and grades of the adjacent street and any other street providing access between the contractor's yard and any arterial roadway shall be sufficient for safe travel to and from the site by the vehicles to be stored. The Planning Board finds the proposed contractor’s yard is located on Sandwich Road, an “arterial roadway”. The proposed contractor’s yard activity will be approximately 275’ feet from the property line of a future house lot. Proposed Parcel A will allow buffering from houses to the East. There will be no adverse impact on a neighborhood predominantly residential in character (or otherwise). The BSS Design plan set includes a Sight Distance Exhibit showing that the sight distances from the proposed driveway substantially exceed safety design standards.

(6) The Planning Board shall specify hours of operation, the type and number or amount of vehicles, equipment or supplies to be stored, what fabrication of subassemblies shall be allowed, if any, and what accessory activities, such as ordinary maintenance and minor repairs, shall be allowed. No activity such as major repair work, painting or engine cleaning shall be allowed. The Planning Board will condition this Special Permit accordingly.

THEREFORE, given the above and the conditions to be imposed below, the Planning Board finds the application for Site Plan and Special Permit proposal to construct one 50’149’x 23’ 8½” prefab building for agricultural storage will be in harmony with the general purpose and intent of this chapter and that the proposal will not have adverse effects which overbalance its beneficial effects on either the neighborhood or the Town.

CONDITIONS

1. The plan shall be constructed as approved. Any changes shall be reviewed by the Planning board to determine if a modification of this decision is necessary. Pursuant to 240-183.B. of the Zoning Bylaw, no permit for occupancy of the new construction shall be issued until the Planning board is satisfied that the conditions of this approval have been met.
2. The Applicant shall obtain an approved Driveway Permit and post any required bond with the Engineering Division prior to start of construction.

3. The Applicant shall complete the work as approved by the Engineering Division in the Driveway Permit and shall be required to adhere to the Soil Erosion & sediment Control Standards document which is available on the Engineering Division’s webpage.

4. Upon completion of construction, the Applicant shall post the address for this residence per §99-1 Affixing of legible numbers required; time limit for compliance.

5. The regular (non-emergency) hours of operation shall be 6:00 a.m. to 7:30 p.m., Monday through Saturday for contractor's yard activities.

6. The vehicles, equipment and supplies that may be stored outside include up to dump trucks (up to 76,000 lbs. registered weight capacity), registered trailers (up to 20,000 lbs. registered weight capacity), excavators, tractors, "bob cats," and similar equipment and assorted attachments such as plows. Other contractor vehicles, such as vans, pickup and utility trucks, up to 25 such vehicles, may be stored in the contractor's yard.

7. Construction materials such as stone, blocks, bricks and steel framing will be stored on site. Other construction equipment, tools, building supplies, appliances and fixtures held for installation, and other components will be stored, generally within the main contractor's yard building. These items may include lumber, windows, roofing and installation materials, etc.

8. There will be sub-assembling of building components such as wall sections and cabinetry.

9. There will likely be within the main contractor's yard building small office area(s) for the contractor's yard operator and subcontractor tenants.

10. Ordinary maintenance and minor repairs of the vehicles and equipment would occur, such as exterior washing and oil changes.

11. Lighting and lighting glare will be kept on the property and not reflect adversely onto other properties.

12. The applicant shall add buffering to the wooded area where the trees appear to be sparse.
13. All site construction within the project shall conform fully to the above referenced and approved site plan. Any change in the location of structures or any other site features such as cutting into the buffer shall require prior written approval of the Planning Board.

Sincerely,

Thomas Bott
Town Planner
cc: Applicant
February 9, 2021

Ament Klaurer, LLP
Attn: Robert Ament, Esq.
39 Town hall Square
Falmouth, MA 02540

Re: Fast® Wastewater Treatment Shared Septic System
Sunrise Estates – Crowell Road, East Falmouth, MA 02536

Our office has been under an Operation and Maintenance contract with The Sunrise Estates of Falmouth Homeowners Association since March of 2019. We have performed quarterly inspection during this time period and the latest in January of 2021. Pride Environmental has performed various repairs to the system to help improve the systems performance over the past year and a half. Since the repairs have been made the systems performance has improved, please see the quarterly inspection reports for the past year attached.

The system was originally designed to handle 16 lots which included lots 9 and 10 on Pam’s Way. Currently 14 lots are connected to the system. The construction of houses on Lots 9 and 10 will not adversely affect the operation and maintenance of the shared system. The addition of the two lots will help improve the performance of the system as the system was originally designed for 16 lots.

If you have any other question please do not hesitate to call me.

Sincerely,
Holmes and McGrath, Inc.

Timothy M. Santos, PE
Vice President

Luis Coelho, WWTP Operator
Grade 4-M
February 2, 2021

Dear: Martin Harper

Re: Fast® Wastewater Treatment System
Sunrise Estates
East Falmouth, MA 02536
Our Job No: 219041

Attached please find Field Inspection & Service Report and DEP Inspection Form for services performed on January 6, 2021 at your property located at Sunrise Estates – East Falmouth, MA. I did not collect a sample during this site visit because the permit only requires annual sampling.

If you have any other question please do not hesitate to call me.

Sincerely,
Holmes and McGrath, Inc.

Luis Coelho
Grade 4-M Operator
LETTER OF TRANSMITTAL

DATE 2/2/2021  JOB NO. 219041

ATTENTION

RE: Sunrise Estates
#52 Crowell Rd.
East Falmouth, MA 02536

To: DEP
Attn: Title 5 Program
1 Winter Street, 6th Floor
Boston, MA 02108

WE ARE SENDING YOU Attached ☑ Under separate cover via the following items:

<table>
<thead>
<tr>
<th>COPIES</th>
<th>DATE</th>
<th>NO.</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>1</td>
<td>1/6/2021</td>
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<td>DEP Approved Inspection and O&amp;M form, and Bio-Microbics Field Inspection &amp; Service Report</td>
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REMARKS:

COPY TO:
Martin Harper, HOA Treasurer

SIGNED: Luis Coelho
Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Title 5 Permitting
DEP Approved Inspection and O&M Form for Title 5 I/A
Treatment and Disposal Systems

I/A System inspection results must be submitted on this DEP form.

A. Facility

Sunrise Estates of Falmouth Homeowners Association
Owner
#52 Crowell Road
Facility Street Address
East Falmouth 02536
City/Town Zip

Mailing address of owner, if different:

23 Sunrise Lane
Street Address/PO Box
East Falmouth MA 02536
City/Town State Zip
( ) ext.
Telephone Number

B. Authorized Service Provider

Holmes & McGrath, Inc.
O&M Firm
205 Worcester Court
Street Address
Falmouth MA 02540
City/Town State Zip
(508) 548 - 3564 ext.
Telephone Number
Luis Coelho 14887
Certified Operator Name Certification Number

C. Facility/System Information

Bio-Microbics, Inc.
Manufacturer's Name & ID
MicroFast Model Name & Number

DEP ID October 2003
Installation Date Start of Operation

Approval Type: ☒ General ☐ Provisional ☐ Piloting ☐ Remedial

Seasonal Residence – used less than 6 mo./year: ☐ Yes ☒ No

D. Operating Information

1/6/21 10/6/20
Inspection Date Previous Inspection Date
12” inches
Sludge Depth (to be checked yearly)
Color was clear
Effluent Description

Pumping Recommended ☐ Yes ☒ No
E. Sampling Information

Samples Taken: ☐ Influent ☑ Effluent

Parameters sampled: ☑ pH ☐ BOD ☐ TSS ☐ TN ☐ Other (list below)

Other 1

Other 2

Other 3

Description of any maintenance performed since previous inspection & during this inspection:
Septic tank was pumped out on October 2018. Effluent p.h.=6.3 mg/l

Notes and Comments:
Checked the floats, recycle pump and effluent pumps and was all working during my inspection. The primary tank had about 3" of scum layer.

F. Certification

I certify: I have inspected the sewage treatment and disposal system at the address above, have completed this report and the attached technology operation and maintenance checklist, and the information reported is true, accurate, and complete as of the time of the inspection. I am a Massachusetts certified operator in accordance with 257 CMR 2.00.

Operator Signature

February 2, 2021

Date

System owner must submit this report, technology O&M checklist, and any required sampling results to the local board of health and DEP as follows for each inspection performed:

Remedial Use – by January 31st of each year for the previous calendar year

Piloting Use – within 30 days of inspection date

Provisional Use – by March 31st of each year for the previous calendar year

General Use – by September 30th of each year for the previous 12 months

Address for DEP copy:

Department of Environmental Protection
Attention: Title 5 Permitting Program
One Winter Street, 6th Floor
Boston, MA 02108
## Installation & Service Report

**BioBarriere® Wastewater Treatment Systems**

### Installation Information

<table>
<thead>
<tr>
<th>Installation Address</th>
<th>Authorized Service Provider</th>
</tr>
</thead>
<tbody>
<tr>
<td>52 Crowell Road</td>
<td>Name: Holmes &amp; McCraith, Inc.</td>
</tr>
<tr>
<td></td>
<td>Street: 205 Worcester Court</td>
</tr>
<tr>
<td></td>
<td>Mail Address: Same</td>
</tr>
<tr>
<td></td>
<td>City: Falmouth</td>
</tr>
<tr>
<td></td>
<td>State: MA Zip: 02536</td>
</tr>
<tr>
<td></td>
<td>Phone:</td>
</tr>
<tr>
<td></td>
<td>e-mail:</td>
</tr>
<tr>
<td></td>
<td>Fax:</td>
</tr>
</tbody>
</table>

### Installation Information

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Blower Brand and Size</th>
<th>Serial No.</th>
<th>Date of Installation</th>
<th>Date of last pump-out</th>
</tr>
</thead>
<tbody>
<tr>
<td>mva220</td>
<td></td>
<td></td>
<td></td>
<td>Oct 2018</td>
</tr>
</tbody>
</table>

### Equipment Operation

<table>
<thead>
<tr>
<th>Electrical Panel(s)</th>
<th>Visual Alarm Operating</th>
<th>Audio Alarm Operating (if present)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Detailed Comments of Site Conditions - Maintenance Performed or Required**

- Blower Status? (shown on panel)

### Treatment Units

- Unusual Odor
- High Water Level Alarm

### Mixing Pump Status

- Mixing Pump Status? (shown on panel)

### System Vent

- System Vent is Clear

### Effluent

<table>
<thead>
<tr>
<th>Flow Rate (shown on panel)</th>
<th>pH (Standard Units)</th>
<th>Color</th>
<th>Temperature</th>
<th>Dissolved Oxygen (effluent)</th>
<th>Odor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6.9 S.U.</td>
<td>Clear</td>
<td>Clear</td>
<td>2 mg/L</td>
<td>Slightly Musty odor (not septic)</td>
</tr>
</tbody>
</table>

### Filtered Water (if applicable)

- Sludge = 12"  Scum = 3.1"  
  - Sludge = 8"  Scum = 2.1"  

### Signature

**Owner Signature:**

**Technician Signature:**

**Service Date:** January 6, 2021
To: DEP  
Attn: Title 5 Program  
1 Winter Street, 6th Floor  
Boston, MA 02108

WE ARE SENDING YOU  ☑️ Attached  ☐ Under separate cover via ______________________ the following items:

<table>
<thead>
<tr>
<th>COPIES</th>
<th>DATE</th>
<th>NO.</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>10/6/2020</td>
<td></td>
<td>DEP Approved Inspection and O&amp;M form, and Bio-Microbics Field Inspection &amp; Service Report</td>
</tr>
</tbody>
</table>

REMARKS:


COPY TO:  
Martin Harper, HOA Treasurer

SIGNED:  Luis Coelho
October 27, 2020

Dear Martin Harper

Re: Fast® Wastewater Treatment System
Sunrise Estates
East Falmouth, MA 02536
Our Job No: 219041

Attached please find Field Inspection & Service Report and DEP Inspection Form for services performed on October 6, 2020 at your property located at Sunrise Estates – East Falmouth, MA. I did not collect a sample during this site visit because the permit only requires annual sampling.

If you have any other question please do not hesitate to call me.

Sincerely,
Holmes and McGrath, Inc.

Luis Coelho
Grade 4-M Operator
**Massachusetts Department of Environmental Protection**
Bureau of Resource Protection - Title 5 Permitting

**DEP Approved Inspection and O&M Form for Title 5 I/A Treatment and Disposal Systems**

---

I/A System inspection results must be submitted on this DEP form.

### A. Facility

Sunrise Estates of Falmouth Homeowners Association  
Owner  
#52 Crowell Road  
Facility Street Address  
East Falmouth  
City/Town  
02536  
Zip  
Mailing address of owner, if different:  
23 Sunrise Lane  
Street Address/PO Box  
East Falmouth  
City/Town  
02536  
State  
Zip  
Telephone Number

### B. Authorized Service Provider

Holmes & McGrath, Inc.  
O&M Firm  
205 Worcester Court  
Street Address  
Falmouth  
City/Town  
02540  
State  
Zip  
(508) 548 - 3564 ext.  
Telephone Number  
Luis Coelho  
Certified Operator Name  
14887  
Certification Number

### C. Facility/System Information

<table>
<thead>
<tr>
<th>DEP ID</th>
<th>Bio-Microbics, Inc. Manufacturer's Name &amp; ID</th>
<th>MicroFast Model Name &amp; Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>October 2003</td>
</tr>
</tbody>
</table>

Installation Date  
Start of Operation  

Approval Type:  
- [x] General  
- [ ] Provisional  
- [ ] Piloting  
- [ ] Remedial  

Seasonal Residence – used less than 6 mo./year:  
- [ ] Yes  
- [x] No

### D. Operating Information

<table>
<thead>
<tr>
<th>10/6/20</th>
<th>7/6/20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inspection Date</td>
<td>Previous Inspection Date</td>
</tr>
<tr>
<td>14&quot; inches</td>
<td>Pumping Recommended</td>
</tr>
<tr>
<td>Sludge Depth (to be checked yearly)</td>
<td></td>
</tr>
<tr>
<td>Color was clear</td>
<td></td>
</tr>
<tr>
<td>Effluent Description</td>
<td></td>
</tr>
</tbody>
</table>
E. Sampling Information

Samples Taken: □ Influent ☒ Effluent

Parameters sampled: ☒ pH □ BOD □ TSS □ TN □ Other (list below)

Other 1
Other 2
Other 3

Description of any maintenance performed since previous inspection & during this inspection:
Septic tank was pumped out on October 2018. Effluent p.h.=6.7

Notes and Comments:
Checked the floats, recycle pump and effluent pumps and was all working during my inspection. The primary tank had about 3" of scum layer.

F. Certification

I certify: I have inspected the sewage treatment and disposal system at the address above, have completed this report and the attached technology operation and maintenance checklist, and the information reported is true, accurate, and complete as of the time of the inspection. I am a Massachusetts certified operator in accordance with 257 CMR 2.00.

Operator Signature

October 27, 2020
Date

System owner must submit this report, technology O&M checklist; and any required sampling results to the local board of health and DEP as follows for each inspection performed:

- Remedial Use — by January 31st of each year for the previous calendar year
- Piloting Use — within 30 days of inspection date
- Provisional Use — by March 31st of each year for the previous calendar year
- General Use — by September 30th of each year for the previous 12 months

Address for DEP copy:

Department of Environmental Protection
Attention: Title 5 Permitting Program
One Winter Street, 6th Floor
Boston, MA 02108
# FIELD INSPECTION & SERVICE REPORT BioBarrier® Wastewater Treatment Systems

<table>
<thead>
<tr>
<th>INSTALLATION INFORMATION</th>
<th>AUTHORIZED SERVICE PROVIDER</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Installation Address:</strong> #52 Gowell Rd</td>
<td><strong>Name:</strong> Holmes And McGrath Inc</td>
</tr>
<tr>
<td><strong>Owner Name:</strong> Sunrise Estates</td>
<td><strong>Street:</strong> 205 Worcester Court</td>
</tr>
<tr>
<td><strong>Mail Address:</strong> Same</td>
<td><strong>Mail Address:</strong></td>
</tr>
<tr>
<td><strong>City:</strong> Falmouth</td>
<td><strong>City:</strong> Falmouth</td>
</tr>
<tr>
<td><strong>State:</strong> MA</td>
<td><strong>State:</strong> MA</td>
</tr>
<tr>
<td><strong>Zip:</strong> 02536</td>
<td><strong>Zip:</strong> 02540</td>
</tr>
<tr>
<td><strong>Phone:</strong></td>
<td><strong>Phone:</strong> 508-518-3569</td>
</tr>
<tr>
<td><strong>Fax:</strong></td>
<td><strong>Fax:</strong> e-mail</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Blower Brand and Size</th>
<th>Serial No.</th>
<th>Date of Installation</th>
<th>Date of last pump-out</th>
</tr>
</thead>
<tbody>
<tr>
<td>MicroFast 90</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EQUIPMENT OPERATION</th>
<th>YES</th>
<th>NO</th>
<th>DETAILED COMMENTS OF SITE CONDITIONS – MAINTENANCE PERFORMED OR REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electrical Panel(s)</td>
<td></td>
<td></td>
<td>LTRP (record if shown)</td>
</tr>
<tr>
<td>Visual Alarm Operating</td>
<td></td>
<td></td>
<td>DFC/FCP (record)</td>
</tr>
<tr>
<td>Audio Alarm Operating (if present)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blower(s):</td>
<td></td>
<td></td>
<td>Blower Status? (shown on panel)</td>
</tr>
<tr>
<td>Air Inlet Filter Clean</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blower Hood Vents Clear</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Excessive Noise</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Excessive Vibration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Treatment Unit(s):</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unusual Odor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>High Water Level Alarm?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mixing Pump Status: (shown on panel)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>System Vent</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pumpout Required:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Primary Setting Zone</td>
<td></td>
<td></td>
<td>SEDGE = 14”</td>
</tr>
<tr>
<td>Aerobic Treatment Zone</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EFFLUENT:</th>
<th>LIMIT</th>
<th>RESULT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flow Rate (shown on panel)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>pH (Standard Units)</td>
<td>6-9 S.U.</td>
<td>6.7</td>
</tr>
<tr>
<td>Color</td>
<td>Clear</td>
<td></td>
</tr>
<tr>
<td>Temperature</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dissolved Oxygen (effluent)</td>
<td>2 mg/L</td>
<td>Slightly</td>
</tr>
<tr>
<td>Odor</td>
<td>Musty odor (not septic)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OWNER SIGNATURE</th>
<th>TECHNICIAN SIGNATURE</th>
<th>SERVICE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Signature]</td>
<td>[Signature]</td>
<td>October 6, 2020</td>
</tr>
</tbody>
</table>
LETTER OF TRANSMITTAL

DATE 7/30/20
JOB NO. 219041

ATTENTION

RE: Sunrise Estates
#52 Crowell Rd.
East Falmouth, MA 02536

To: DEP
Attn: Title 5 Program
1 Winter Street, 6th Floor
Boston, MA 02108

WE ARE SENDING YOU  X Attached □ Under separate cover via ___________________ the following items:

<table>
<thead>
<tr>
<th>COPIES</th>
<th>DATE</th>
<th>NO.</th>
<th>DESCRIPTION</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>7/6/2020</td>
<td></td>
<td>DEP Approved Inspection and O&amp;M form, and Bio-Microbics Field Inspection &amp; Service Report</td>
</tr>
</tbody>
</table>

REMARKS:


COPY TO:
Martin Harper, HOA Treasurer

SIGNED: Luis Coelho
July 30, 2020

Dear: Martin Harper

Re: Fast® Wastewater Treatment System
Sunrise Estates
East Falmouth, MA 02536
Our Job No: 219041

Attached please find Field Inspection & Service Report and DEP Inspection Form for services performed on July 7, 2020 at your property located at Sunrise Estates – East Falmouth, MA. I did not collect a sample during this site visit because I did collect on last quarter and the permit only requires annual sampling.
If you have any other question please do not hesitate to call me.

Sincerely,
Holmes and McGrath, Inc.

[Signature]
Luis Coelho
Grade 4-M Operator
A. Facility

Sunrise Estates of Falmouth Homeowners Association
Owner
#52 Crowell Road
Facility Street Address
East Falmouth 02536
City/Town Zip
Mailing address of owner, if different:
23 Sunrise Lane
Street Address/PO Box
East Falmouth MA 02536
City/Town State Zip
( ) ext.
Telephone Number

B. Authorized Service Provider

Holmes & McGrath, Inc.
O&M Firm
205 Worcester Court
Street Address
Falmouth MA 02540
City/Town State Zip
(508) 548-3564 ext.
Telephone Number
Luis Coelho
Certified Operator Name 14887
Certification Number

C. Facility/System Information

<table>
<thead>
<tr>
<th>DEP ID</th>
<th>Bio-Microbics, Inc. Manufacturer's Name &amp; ID</th>
<th>MicroFast Model Name &amp; Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Installation Date: October 2003
Start of Operation:
Approval Type: ☑ General ☐ Provisional ☐ Piloting ☐ Remedial
Seasonal Residence – used less than 6 mo./year: ☑ Yes ☐ No

D. Operating Information

<table>
<thead>
<tr>
<th>Inspection Date</th>
<th>Previous Inspection Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/6/20</td>
<td>4/7/20</td>
</tr>
</tbody>
</table>

10" inches
Sludge Depth (to be checked yearly)
Color was clear
Effluent Description

Pumping Recommended ☑ Yes ☐ No
E. Sampling Information

Samples Taken: ☐ Influent  ☒ Effluent

Parameters sampled: ☒ pH  ☐ BOD  ☐ TSS  ☐ TN  ☐ Other (list below)

Other 1   Other 2   Other 3

Description of any maintenance performed since previous inspection & during this inspection:

Septic tank was pumped out on October 2018. Effluent p.h.=6.8

Notes and Comments:

Checked the floats, recycle pump and effluent pumps and was all working during my inspection. The primary tank had about 3" of scum layer.

F. Certification

I certify: I have inspected the sewage treatment and disposal system at the address above, have completed this report and the attached technology operation and maintenance checklist, and the information reported is true, accurate, and complete as of the time of the inspection. I am a Massachusetts certified operator in accordance with 257 CMR 2.00.

[Signature]  July 30, 2020
Operator Signature  Date

System owner must submit this report, technology O&M checklist, and any required sampling results to the local board of health and DEP as follows for each inspection performed:

Remedial Use – by January 31st of each year for the previous calendar year

Piloting Use – within 30 days of inspection date

Provisional Use – by March 31st of each year for the previous calendar year

General Use – by September 30th of each year for the previous 12 months

Address for DEP copy:

Department of Environmental Protection
Attention: Title 5 Permitting Program
One Winter Street, 6th Floor
Boston, MA 02108
# Field Inspection & Service Report

## Installation & Service Provider

<table>
<thead>
<tr>
<th>Installation Address: 457 Crowell Rd</th>
<th>Authorized Service Provider: Holmes &amp; McPhail, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner Name: Sunrise Estates</td>
<td>Name: Holmes &amp; McPhail, Inc.</td>
</tr>
<tr>
<td>Mail Address:</td>
<td>Street: 205 Worcester Ave.</td>
</tr>
<tr>
<td>City: Fairview</td>
<td>Mail Address:</td>
</tr>
<tr>
<td>State: MA Zip: 02536</td>
<td>City: Fairview</td>
</tr>
<tr>
<td>Phone e-mail Fax</td>
<td>State: MA Zip: 02540</td>
</tr>
</tbody>
</table>

## Installation Information

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Blower Brand and Size</th>
<th>Serial No.</th>
<th>Date of Installation</th>
<th>Date of last pump-out</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Equipment Operation</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electrical Panel(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Visual Alarm Operating</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Audio Alarm Operating (if present)</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Blower(s):</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Inlet Filter Clean</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Blower Hood Vents Clear</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Excessive Noise</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Excessive Vibration</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Treatment Unit(s):</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Unusual Odor</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>High Water Level Alarm?</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DETAILED COMMENTS OF SITE CONDITIONS – MAINTENANCE PERFORMED OR REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>LTRP (record if shown)</td>
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<tr>
<td>DFC/FCP (record)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Treatment Status</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Blower Status? (shown on panel)</td>
<td>✓</td>
</tr>
</tbody>
</table>

| Filtration Pump Status? (shown on panel) |     |

<table>
<thead>
<tr>
<th>EFFLUENT:</th>
<th>LIMIT</th>
<th>RESULT</th>
</tr>
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<tbody>
<tr>
<td>Flow Rate (shown on panel)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>pH (Standard Units)</td>
<td>6-9 S.U.</td>
<td>6.9</td>
</tr>
<tr>
<td>Color</td>
<td>Clear</td>
<td></td>
</tr>
<tr>
<td>Temperature</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dissolved Oxygen (effluent)</td>
<td>2 mg/L</td>
<td></td>
</tr>
<tr>
<td>Odor</td>
<td>Slightly Musty odor (not septic)</td>
<td></td>
</tr>
</tbody>
</table>

## Owner Signature

[Signature]

## Technician Signature

[Signature]  

## Service Date

July 6, 2020
LETTER OF TRANSMITTAL

DATE: 4/27/20  JOB NO. 219041

ATTENTION:

RE: Sunrise Estates
#52 Crowell Rd.
East Falmouth, MA 02536

To: DEP
Attn: Title 5 Program
1 Winter Street, 6th Floor
Boston, MA 02108

WE ARE SENDING YOU: ☑ Attached ☐ Under separate cover via __________________ the following items:

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<td>1</td>
<td>4/7/20</td>
<td></td>
<td>DEP Approved Inspection and O&amp;M form, and Bio-Microbics Field Inspection &amp; Service Report</td>
</tr>
</tbody>
</table>

REMARKS:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

COPY TO:
Martin Harper, HOA Treasurer

SIGNED: Luis Coelho
April 27, 2020

Dear: Martin Harper

Re: Fast® Wastewater Treatment System
Sunrise Estates
East Falmouth, MA 02536
Our Job No: 219041

Attached please find Field Inspection & Service Report and DEP Inspection Form for services performed on April 7, 2020 at your property located at Sunrise Estates – East Falmouth, MA. I did not collect a sample during this site visit because I did collect on last quarter and the permit only requires annual sampling.

If you have any other question please do not hesitate to call me.

Sincerely,
Holmes and McGrath, Inc.

Luis Coelho
Grade 4-M Operator
I/A System inspection results must be submitted on this DEP form.

A. Facility

Sunrise Estates of Falmouth Homeowners Association

Owner

#52 Crowell Road

Facility Street Address

East Falmouth

City/Town 02536

Zip

Mailing address of owner, if different:

23 Sunrise Lane

Street Address/PO Box

East Falmouth MA 02536

City/Town State Zip

( ) ext.

Telephone Number

B. Authorized Service Provider

Holmes & McGrath, Inc.

O&M Firm

205 Worcester Court

Street Address

Falmouth MA 02540

City/Town State Zip

(508) 548 - 3564 ext.

Telephone Number

Luis Coelho 14887

Certified Operator Name Certification Number

C. Facility/System Information

DEP ID Bio-Microbics, Inc. MicroFast

Manufacturer's Name & ID Model Name & Number

Installation Date October 2003

Start of Operation

Approval Type: ☑ General ☐ Provisional ☐ Piloting ☐ Remedial

Seasonal Residence - used less than 6 mo./year: ☐ Yes ☑ No

D. Operating Information

4/7/20 1/27/20

Inspection Date Previous Inspection Date

8" inches Pumping Recommended ☐ Yes ☑ No

Sludge Depth (to be checked yearly)

Color was clear

Effluent Description
E. Sampling Information

Samples Taken: ☒ Influent ☐ Effluent

Parameters sampled: ☒ pH ☐ BOD ☐ TSS ☐ TN ☐ Other (list below)

Other 1

Other 2

Other 3

Description of any maintenance performed since previous inspection & during this inspection:

Septic tank was pumped out on October 2018. Effluent p.h. = 6.8

Notes and Comments:

Checked the floats, recycle pump and effluent pumps and was all working during my inspection. The primary tank had about 3" of scum layer.

F. Certification

I certify: I have inspected the sewage treatment and disposal system at the address above, have completed this report and the attached technology operation and maintenance checklist, and the information reported is true, accurate, and complete as of the time of the inspection. I am a Massachusetts certified operator in accordance with 257 CMR 2.00.

[Signature]

Operator Signature

April 27, 2020

Date

System owner must submit this report, technology O&M checklist, and any required sampling results to the local board of health and DEP as follows for each inspection performed:

Remedial Use – by January 31st of each year for the previous calendar year

Piloting Use – within 30 days of inspection date

Provisional Use – by March 31st of each year for the previous calendar year

General Use – by September 30th of each year for the previous 12 months

Address for DEP copy:

Department of Environmental Protection
Attention: Title 5 Permitting Program
One Winter Street, 6th Floor
Boston, MA 02108
# Bio-Microbics Field Inspection & Service Report

**BioBarrier® Wastewater Treatment Systems**

## Installation Information

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Blower Brand and Size</th>
<th>Serial No.</th>
<th>Date of Installation</th>
<th>Date of last pump-out</th>
</tr>
</thead>
</table>

## Equipment Operation

<table>
<thead>
<tr>
<th>Item</th>
<th>Yes</th>
<th>No</th>
<th>Detailed Comments of Site Conditions – Maintenance Performed or Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electrical Panel(s)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Visual Alarm Operating</td>
<td>✓</td>
<td></td>
<td>LTRP (record if shown)</td>
</tr>
<tr>
<td>Audio Alarm Operating (if present)</td>
<td>✓</td>
<td></td>
<td>DFC/FCP (record)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Blower(s):</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Inlet Filter Clean</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blower Hood Vents Clear</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Excessive Noise</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Excessive Vibration</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Treatment Unit(s):

- Unusual Odor: ✓
- High Water Level Alarm?: ✓
- Mixing Pump Status: (shown on panel)
- Filtration Pump Status?: (shown on panel)
- System Vent
- Pumpout Required:
  - Primary Settling Zone
  - Aerobic Treatment Zone
- Sludge = 8" Scum = 4"
- Sludge = 4" Scum = 2"

## Effluent:

<table>
<thead>
<tr>
<th>Flow Rate (shown on panel)</th>
<th>pH (Standard Units)</th>
<th>Color</th>
<th>Temperature</th>
<th>Dissolved Oxygen (effluent)</th>
<th>Odor</th>
</tr>
</thead>
<tbody>
<tr>
<td>(shown on panel)</td>
<td>6-9 S.U.</td>
<td>Clear</td>
<td>6.5°C</td>
<td>2 mg/L</td>
<td>Slightly Musty odor (not septic)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Owner Signature</th>
<th>Technician Signature</th>
<th>Service Date</th>
</tr>
</thead>
</table>
To: DEP  
Attn: Title 5 Program  
1 Winter Street, 6th Floor  
Boston, MA 02108

WE ARE SENDING YOU ☑ Attached ☐ Under separate cover via the following items:

<table>
<thead>
<tr>
<th>COPIES</th>
<th>DATE</th>
<th>NO.</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1/27/2020</td>
<td></td>
<td>DEP Approved Inspection and O&amp;M form, Bio-Microics Field Inspection &amp; Service Report and lab report</td>
</tr>
</tbody>
</table>

REMARKS:

__________________________________________

COPY TO:  
Martin Harper, HOA Treasurer

__________________________________________

SIGNED: Luis Coelho
I/A System inspection results must be submitted on this DEP form.

A. Facility

Sunrise Estates of Falmouth Homeowners Association
Owner
#52 Crowell Road
Facility Street Address
East Falmouth
City/Town
Zip
Mailing address of owner, if different:
23 Sunrise Lane
Street Address/PO Box
East Falmouth
City/Town
State
Zip
(______) - ext.
Telephone Number

B. Authorized Service Provider

Holmes & McGrath, Inc.
O&M Firm
205 Worcester Court
Street Address
Falmouth
City/Town
State
Zip
(508) 548 - 3564 ext.
TelephoneNumber
Luis Coelho
Certified Operator Name
14887
Certification Number

C. Facility/System Information

DEP ID
Bio-Microbics, Inc.
Manufacturer's Name & ID
MicroFast
Model Name & Number

Installation Date
October 2003
Start of Operation
Approval Type: ☑ General ☐ Provisional ☐ Piloting ☐ Remedial
Seasonal Residence – used less than 6 mo./year: ☐ Yes ☑ No

D. Operating Information

1/27/20
Inspection Date
14" inches
Sludge Depth (to be checked yearly)
Color was clear
Effluent Description

10/16/19
Previous Inspection Date
Pumping Recommended ☐ Yes ☑ No
E. Sampling Information

Samples Taken: ☐ Influent ☑ Effluent

Parameters sampled: ☑ pH ☐ BOD ☐ TSS ☑ TN ☐ Other (list below)

<table>
<thead>
<tr>
<th>Other 1</th>
<th>Other 2</th>
<th>Other 3</th>
</tr>
</thead>
</table>

Description of any maintenance performed since previous inspection & during this inspection:

Septic tank was pumped out on October 2018.

Notes and Comments:

Checked the floats, recycle pump and effluent pumps and was working during my inspection. I did collect a sample during this site visit and was in compliance. The primary tank had about 4" of scum layer. The lab report will show that the system was in compliance to the limit of 25mg/l.

F. Certification

I certify: I have inspected the sewage treatment and disposal system at the address above, have completed this report and the attached technology operation and maintenance checklist, and the information reported is true, accurate, and complete as of the time of the inspection. I am a Massachusetts certified operator in accordance with 257 CMR 2.00.

Operator Signature: [Signature]

Date: March 3, 2020

System owner must submit this report, technology O&M checklist, and any required sampling results to the local board of health and DEP as follows for each inspection performed:

**Remedial Use** – by January 31st of each year for the previous calendar year

**Piloting Use** – within 30 days of inspection date

**Provisional Use** – by March 31st of each year for the previous calendar year

**General Use** – by September 30th of each year for the previous 12 months

Address for DEP copy:

Department of Environmental Protection
Attention: Title 5 Permitting Program
One Winter Street, 6th Floor
Boston, MA 02108
## Field Inspection & Service Report

**BioBarriers Wastewater Treatment Systems**

### Installation Information

<table>
<thead>
<tr>
<th>Model No.</th>
<th>Blower Brand and Size</th>
<th>Serial No.</th>
<th>Date of Installation</th>
<th>Date of last pump-out</th>
</tr>
</thead>
</table>

### Equipment Operation

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

#### Detailed Comments of Site Conditions - Maintenance Performed or Required

- Visual Alarm Operating
- Audio Alarm Operating (if present)

### Treatment Unit(s):

- Unusual Odor
- High Water Level Alarm

### Mixing Pump Status:

- Filtration Pump Status? (shown on panel)

### System Vent

### Pumpout Required:

- Primary Settling Zone
- Aerobic Treatment Zone

### Effluent:

<table>
<thead>
<tr>
<th>Limit</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Flow Rate (shown on panel)

- Sludge = 14"  Scum = 4"
- Sludge = 16"  Scum = 20"

### pH (Standard Units)

| Standard Units | 6.5 S.U. | 6.0 |

### Temperature

| Clear |

### Dissolved Oxygen (Effluent)

| mg/L | Slightly Musty odor (not septic) |

### Odor

| Musky |

### No Odor When I Arrived On-Site

### Owner Signature

### Technician Signature

### Service Date

Jan 27, 2020
Wednesday, February 5, 2020

Holmes & McGrath
205 Worcester Court
Falmouth, MA 02540

Project Name: Sunrise Estates
Project Number: 52 Crowell Rd, E Fal
Sampled By: Luis Coelho
Lab Order Number: WW-200143
Date Received: 01/27/20

<table>
<thead>
<tr>
<th>Sample Type</th>
<th>Parameters</th>
<th>Units</th>
<th>Test Results</th>
<th>Reportable Limits</th>
<th>Date Analyzed</th>
<th>Analyst</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Kjeldahl Nitrogen</td>
<td>mg/L</td>
<td>2.4</td>
<td>0.60</td>
<td>01/30/20</td>
<td>KB</td>
<td>SM4500-Nog B-C</td>
</tr>
<tr>
<td></td>
<td>Nitrate-N</td>
<td>mg/L</td>
<td>15</td>
<td>0.01</td>
<td>01/27/20</td>
<td>KF</td>
<td>EPA 300.0</td>
</tr>
<tr>
<td></td>
<td>Nitrite-N</td>
<td>mg/L</td>
<td>BRL</td>
<td>0.006</td>
<td>01/27/20</td>
<td>KF</td>
<td>EPA 300.0</td>
</tr>
<tr>
<td></td>
<td>Total Nitrogen</td>
<td>mg/L</td>
<td>17</td>
<td>NA</td>
<td>02/05/20</td>
<td>KF</td>
<td>Calculation</td>
</tr>
<tr>
<td></td>
<td>pH grab</td>
<td>pH units</td>
<td>6.01</td>
<td>NA</td>
<td>01/27/20</td>
<td>KF</td>
<td>SM 4500 H-B</td>
</tr>
</tbody>
</table>

All samples were analyzed within the established guidelines of US EPA approved methods with all requirements met, unless otherwise noted at the end of a given sample's analytical results.

We certify that the following results are true and accurate to the best of our knowledge.

BRL=below reportable limits

*see attached

By: [Signature]

Ronald J. Saari
Laboratory Director
<table>
<thead>
<tr>
<th>Lab ID #</th>
<th>Date</th>
<th>Time</th>
<th>Comp</th>
<th>Grab</th>
<th>Sample location</th>
<th>container</th>
<th>Pres.</th>
<th>Analysis Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>WW400143</td>
<td>1/27</td>
<td>10:00</td>
<td>X</td>
<td></td>
<td></td>
<td>500 mL</td>
<td>acid</td>
<td>TKN, TN</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>120 mL</td>
<td>ice</td>
<td>NO3,NO2, PH.</td>
</tr>
</tbody>
</table>

acid=Sulfuric
MOTION:

That the Planning Board was unable to modify or apply the repealed provision of the zoning bylaw Section 240-138 requested in the Application of Falmouth Housing Trust to modify a Special Permit Decision issued December 8, 2004 to Albert Shamsi, Trustee. The Planning Board however is granting a three year extension from a two year extension filed January 23, 2019, from the filing of the original decision, for an extension of Condition #1 of the December 2004 Special Permit for a density bonus under the conditions described in the original decision.

FINDINGS:

(1) By its terms condition #1 expired 3 years from the date of endorsement of the plan and the previous extension expired two years from the date of endorsement. The lots were never developed and the condition expired in 2007 or 2008.

(2) The zoning bylaw contained s. 240-138 which allowed the payment of a fee for greater density and bonus lots was repealed in 2010 and no longer exists.

Special Permit Findings

Section 240-138 has been repealed and deleted from the bylaw and it is no longer within the authority of the Planning Board to apply it to new subdivision plans or modify conditions of previously approved subdivision plans.

MOTION by R. Leary/J. Fox to extend the Special Permit Condition #1 for three years.

VOTE: 7-0-0